

January 19, 2023

VIA ELECTRONIC CASE FILING (“ECF”)

The Honorable Robert W. Lehrburger, USMJ

United States District Court

Southern District of New York

Daniel Patrick Moynihan

500 Pearl Street, Courtroom 18D

New York, New York 10007

Re: Milagro Rivera v. Kilolo Kijakazi, Acting Commissioner of Social Security
Index No.: 1:22-cv-06976-ER-RWL
Letter Motion Requesting Additional Time to File Plaintiff’s Motion

Dear Hon. Lehrburger:

Manhattan Legal Services (“MLS”), through the undersigned, is representing Plaintiff, Milagro Rivera (hereinafter referred to as “Mrs. Rivera” or “Plaintiff”) in the above-captioned matter. Please accept this correspondence in relation to Plaintiff’s Motion for Judgment on the Pleadings, which has a return date of sixty (60) days after the filing of the certified administrative record, pursuant to the Scheduling Order.

We respectfully request an expansion of time to submit Plaintiff’s moving papers on the grounds that the undersigned, whom has been assigned as Mrs. Rivera’s advocate and counsel, had been embattled by illness and had been out of the office for substantial amount of time since. Moreover, we note that, prior to motioning the Court for an expansion of time to appear and respond, the undersigned has obtained the mutual consent of Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (hereinafter referred to as “Commissioner” or “Defendant”), through her counsel, Mr. Jason P. Peck, at the Office of General Counsel for the Social Security Administration. Additionally, we note that to date, Plaintiff has filed no prior requests for adjournments.

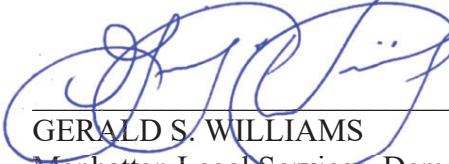
Accordingly, we kindly and respectfully request Your Honor expand time for Plaintiff’s moving papers to be filed by sixty (60) days, or to a date that Your Honor deems fair and adequate to appropriately appear and respond in this matter.

Should Your Honor have any questions or concerns, please contact me either at (646)237-7769 or via electronic mail at gwilliams@lsnyc.org. Best wishes for continued good health during these uncertain times.

Thank You for Your Honor's consideration to this request. Happy New Year!

Respectfully Submitted,

LEGAL SERVICES NYC



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Attorneys for Plaintiff

Request granted. Plaintiff's motion is due March 21, 2023;
Defendant's opposition and motion are due May 22, 2023;
Plaintiff's reply, if any, is due June 12, 2023.

SO ORDERED:

1/19/2023



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Notice Sent to Defendant via ECF notification and addressed to: jason.peck@ssa.gov.